

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

FREDERICK TUBBS

PLAINTIFF

VS.

NO. 4:05-cv-36-TSL-JMR

**SYSCO FOOD SERVICES OF JACKSON, LLC;
ORLANDO NEAL, INDIVIDUALLY;
MICHAEL TIBBIT, INDIVIDUALLY; AND
BYRON PITTMAN , INDIVIDUALLY**

DEFENDANTS

**ORDER DISMISSING ACTION
BY REASON OF SETTLEMENT**

The court has been advised by counsel that this action has been settled, or is in the process of being settled. Therefore, it is not necessary that the action remain upon the calendar of the court.

It is ORDERED that the action is DISMISSED without prejudice. The court retains complete jurisdiction to vacate this order and to reopen the action upon cause shown that settlement has not been completed and further litigation is necessary.

This 15th day of June, 2006.

/s/ Tom S. Lee
U.S. DISTRICT JUDGE TOM S. LEE

As agreed by the parties:

/s/ John M. Mooney, Jr.
John M. Mooney, Jr.
Attorney for the Plaintiff

/s/ Richard A. Hammond
Richard A. Hammond
Attorney for the Defendants